

Serial No.: 10/724,844  
Confirmation No.: 2166  
Art Unit: 1614

AHP98353C1



PATENT  
Docket No. AHP98353C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Sabb, et al.

Serial No. 10/724,844

Examiner: Dwayne Jones

Filed: December 1, 2003

Art Unit: 1614

Confirmation No: 2166

Customer No. 25291

Title: 2,3,4,4A-TETRAHYDRO-1H-PYRAZINO[1,2-A]QUINOXALIN-5(6H)ONE  
DERIVATIVES

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ED870506348US addressed to the Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

July 7, 2006  
Date

Paula L. Dickey  
Paula L. Dickey

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The following are comments in response to the Statement of Reasons for Allowance mailed on April 10, 2006.

REMARKS

Applicants thank the Examiner for the Notice of Allowance of Claims 1 to 19 that was mailed on April 10, 2006.

Applicants wish to clarify, based on paragraph 1 of the Reasons for Allowance, that Claims 14 to 19 do not meet the provision of claim 1, where "when X is a carbonyl group, R<sub>2</sub> and R<sub>3</sub> are not both halogen." Claims 14 to 19 do however meet the provision of claim 1 that at least two of R<sub>1</sub>, R<sub>2</sub>, R<sub>3</sub>, and R<sub>4</sub> are not hydrogen. Therefore, for the reasons previously stated in Applicants response dated February 13, 2006, and the reasons provided by the Examiner, that Freed (US 4,032,639) "...which is only directed to monosubstituted tricyclic compounds, does not provide the skilled artisan with the necessary disclosure and motivation to arrive at the instantly disclosed compounds", Applicants respectfully submit that Claims 1 to 19 would not have been obvious in view of US 4,032,639 (Freed).

CONCLUSION

Applicants respectfully request issuance of Claims 1 to 19:

Respectfully Submitted,



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